

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
FEB 28 2011
U.S. DISTRICT COURT
INDIANAPOLIS, INDIANA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Cause No. 1:11-CR-
)
DAVID RYAN BOSTIC,) **1 : 11 -cr- 0033 TWP -KPF**
)
Defendant.)

INFORMATION

The United States Attorney charges that:

At all times material to these charges:

1. DAVID RYAN BOSTIC ("BOSTIC"), the defendant herein, was a resident of Bloomington, Indiana, in the Southern District of Indiana.
2. As used in this Information, the term "child pornography" means a visual depiction of a minor engaging in sexually explicit conduct as defined in 18 U.S.C. § 2256.
3. As used in this Information and 18 U.S.C. § 2256, the term "sexually explicit conduct means" means actual or simulated:
 - A. Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same sex or opposite sex;

- B. Bestiality;
- C. Masturbation;
- D. Sadistic or masochistic abuse; or
- E. Lascivious exhibition of the genitals or pubic area of any person.

4. As used in this Information, the names "Girl 1," "Girl 2," "Girl 3" and "Girl 4" are the pseudonyms of four minor girls, who were residents of the Southern District of Indiana. At the time of the events described in this Information, these girls were between two (2) months and three (3) years of age.

5. As used in this Information, the name "Boy 1" is the pseudonym of a minor boy, who was a resident of the Southern District of Indiana. At the time of the events described in this Information, Boy 1 was four (4) years of age.

6. On multiple separate occasions, DAVID BOSTIC used Girl 1, Girl 2, Girl 3, Girl 4 and Boy 1 to produce images or videos of these minors engaging in sexually explicit conduct. In each instance, the production of these visual depictions involved the use of these minors engaging in sexually explicit conduct, either alone or with DAVID BOSTIC. The resulting image and videos showed this sexually explicit conduct.

7. To produce the visual depictions involving Girl 1, Girl 2, Girl 3, Girl 4 and Boy 1, DAVID BOSTIC used cameras embedded in HTC and LG

cellular telephones and other devices. He then stored these images and videos in computers and computer storage devices at his residence.

Counts 1-36
Sexual Exploitation of a Child
18 U.S.C. §§ 2251(a) and (e)

8. The General Allegations described in Paragraphs 1 through 7 are realleged in Counts 1 through 36.

9. On or about the dates listed below in each separate Count, within the Southern District of Indiana, DAVID RYAN BOSTIC, the defendant herein, did use a minor, or attempt to use a minor, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means, including a computer, or while knowing and having reason to know that such visual depiction would be transported in interstate or foreign commerce or mailed, or which visual depiction actually were transported in interstate or foreign commerce or mailed, as follows:

Count	Minors & Their Age	Date & EXIF Data	File Name(s)
1	Girl 1 Age 2 years	11/2/2008 LG Rumor	p_00232.jpg p_00234.jpg p_00235.jpg p_00236.jpg p_00238.jpg p_00240.jpg p_00246.jpg p_00270.jpg p_00271.jpg p_00272.jpg p_00273.jpg
2	Girl 2 Age 2 months	11/14/2008 LG Rumor	p_00237.jpg p_00239.jpg p_00240.jpg p_00241.jpg
3	Girl 2 Age 2 months	11/18/2008 LG Rumor	hu99.jpg jkj.jpg jknkj.jpg jnk.jpg
4	Girl 3 Age 3 years	12/1/2008 No EXIF Data	p_00250.jpg p_00251.jpg p_00253.jpg p_00254.jpg
5	Girl 2 Age 1 year	12/22/2009 HTC Apache David	IMAGE_0007.jpg IMAGE_0008.jpg IMAGE_00010.jpg IMAGE_00013.jpg IMAGE_00015.jpg
6	Girl 2 Age 1 year	2/9/2010 EXIF data in Image_00056.jpg HTC Apache David Bostic	IMAGE_00065.jpg
7	Boy 1 Age 4 years	4/8/2010 HTC Apache Diwl	IMAGE_00054.jpg IMAGE_00055.jpg IMAGE_00056.jpg IMAGE_00057.jpg IMAGE_00058.jpg

8	Girl 4 Age 3 years	4/13/2010 HTC Apache Diwl	IMAGE_00054.jpg IMAGE_00055.jpg
9	Girl 2 Age 1 year	4/15/2010 HTC Apache David	IMAGE_00066.jpg IMAGE_00067.jpg IMAGE_00068.jpg IMAGE_00069.jpg IMAGE_00070.jpg IMAGE_00073.jpg IMAGE_00074.jpg IMAGE_00075.jpg IMAGE_00076.jpg IMAGE_00077.jpg IMAGE_00078.jpg IMAGE_00079.jpg
10	Girl 4 Age 3 years	4/22/2010 HTC Apache David	IMAGE_00084.jpg IMAGE_00085.jpg IMAGE_00086.jpg IMAGE_00087.jpg IMAGE_00088.jpg IMAGE_00089.jpg IMAGE_00090.jpg IMAGE_00091.jpg
11	Girl 4 Age 3 years	5/19/2010 HTC Apache David	IMAGE_00128.jpg IMAGE_00129.jpg IMAGE_00130.jpg IMAGE_00131.jpg IMAGE_00132.jpg IMAGE_00136.jpg IMAGE_00137.jpg IMAGE_00138.jpg IMAGE_00139.jpg
12	Boy 1 Age 4 years	7/6/2010 HTC Apache David	IMAGE_00240.jpg IMAGE_00241.jpg IMAGE_00245.jpg IMAGE_00246.jpg
13	Girl 4	7/7/2010	IMAGE_00255.pg

18	Girl 2 Age 1 year	7/18/2010 HTC Apache David	IMAGE_00302.jpg
19	Girl 2 Age 1 year	7/20/2010 HTC Apache David	IMAGE_00301g.jpg IMAGE_00302g.jpg IMAGE_00303g.jpg IMAGE_00304g.jpg IMAGE_00305g.jpg IMAGE_00306g.jpg
20	Girl 2 Age 1 year	8/3/2010 HTC Apache	IMAGE_00043.jpg
21	Girl 4 Age 3 years	8/12/2010 HTC Apache	IMAGE_00043.jpg IMAGE_00044.jpg IMAGE_00045.jpg IMAGE_00046.jpg IMAGE_00047.jpg IMAGE_00048.jpg IMAGE_00052.jpg IMAGE_00053.jpg

22	Girl 4 Age 3 years	8/12/2010 HTC Apache	IMAGE_00205p(32).jpg IMAGE_00205p(33).jpg IMAGE_00205p(37).jpg IMAGE_00205p(42).jpg IMAGE_00205p(43).jpg IMAGE_00205p(44).jpg IMAGE_00205p(45).jpg IMAGE_00205p(46).jpg IMAGE_00205p(47).jpg IMAGE_00205p(48).jpg IMAGE_00205p(49).jpg IMAGE_00205p(54).jpg IMAGE_00205p(55).jpg IMAGE_00205p(56).jpg IMAGE_00205p(57).jpg IMAGE_00205p(58).jpg IMAGE_00205p(60).jpg IMAGE_00205p(61).jpg IMAGE_00205p(66).jpg IMAGE_00205p(67).jpg IMAGE_00205p(70).jpg IMAGE_00205p(73).jpg IMAGE_00205p(74).jpg IMAGE_00205p(76).jpg IMAGE_00205p(77).jpg IMAGE_00205p(78).jpg IMAGE_00205p(79).jpg
23	Girl 4 Age 3 years	8/13/2010 No EXIF Data	IMAGE_00205p(93).jpg IMAGE_00205p(96).jpg IMAGE_00205p(97).jpg IMAGE_00205p(99).jpg IMAGE_00205p(100).jpg IMAGE_00205p(101).jpg IMAGE_00205p(102).jpg IMAGE_00205p(103).jpg IMAGE_00205p(108).jpg
24	Girl 2 Age 1 year	8/13/2010 No Exif data	IMAGE_00172.jpg IMAGE_00173.jpg IMAGE_00174.jpg IMAGE_00175.jpg IMAGE_00176.jpg IMAGE_00177.jpg

25	Girl 4 Age 3 years	8/14/2010 No EXIF Data	IMAGE_00205p(128).jpg IMAGE_00205p(129).jpg IMAGE_00205p(135).jpg IMAGE_00205p(136).jpg IMAGE_00205p(138).jpg
26	Girl 4 Age 3 years	8/16/2010 No Exif Data	IMAGE_00205p(139).jpg
27	Girl 4 Age 3 years	8/24/2010 No EXIF Data	IMAGE_00205p(24).jpg IMAGE_00205p(27).jpg IMAGE_00205p(28).jpg IMAGE_00205p(29).jpg IMAGE_00205p(30).jpg IMAGE_00205p(31).jpg
28	Girl 4 Age 3 years	8/26/2010 HTC Apache	IMAGE_00243.jpg IMAGE_00245.jpg
29	Girl 2 Age 1 year	8/29/2010 HTC Apache	IMAGE_00252.jpg IMAGE_00253.jpg IMAGE_00254.jpg
30	Girl 2 Age 1 year	8/30/2010	IMAGE_00268r(2).jpg
31	Girl 4 Age 3 years	8/30/2010 HTC Apache	IMAGE_00265.jpg IMAGE_00266.jpg
32	Girl 2 Age 1 year	9/9/2010 HTC Apache	IMAGE_00273.jpg IMAGE_00274.jpg IMAGE_00277.jpg IMAGE_00278.jpg IMAGE_00279.jpg IMAGE_00280.jpg IMAGE_00284.jpg IMAGE_00285.jpg IMAGE_00289.jpg IMAGE_00290.jpg IMAGE_00293.jpg IMAGE_00295.jpg IMAGE_00296.jpg
33	Girl 2 Age 2 years	10/7/2010 HTC Apache	IMAGE_00280pg.jpg IMAGE_00280pg(1).jpg IMAGE_00280pg(2).jpg IMAGE_00280pg(3).jpg IMAGE_00280pg(4).jpg IMAGE_00280pg(5).jpg

34	Girl 4 Age 3 years	10/25/2010 HTC Apache 1:10 AM to 2:05 AM	IMAGE_00287j(1).jpg IMAGE_00287j(2).jpg IMAGE_00287j(3).jpg IMAGE_00287j(6).jpg IMAGE_00287j(7).jpg IMAGE_00287j(8).jpg IMAGE_00287j(10).jpg IMAGE_00287j(12).jpg IMAGE_00287j(13).jpg IMAGE_00287j(14).jpg IMAGE_00287j(16).jpg IMAGE_00287j(17).jpg
35	Girl 4 Age 3 years	10/25/2010 No Exif Data 10:44 AM to 10:45 AM	IMAGE_00317.jpg IMAGE_00318.jpg IMAGE_00319.jpg
36	Girl 4 Age 3 years	10/25/2010 No EXIF data 4:06 PM to 4:08 PM	IMAGE_00287j.jpg IMAGE_00287j(18).jpg IMAGE_00287j(21).jpg IMAGE_00320.jpg IMAGE_00321.jpg

Each Count of which is a separate violation of Title 18, United States Code, Sections 2251(a).

Count 37
Possession of Child Pornography
18 U.S.C. § 2252(a)(4)(B)

The United States Attorney further charges that:

10. The General Allegations described in Paragraphs 1 through 7 are realleged in Count 37.

11. On or about November 17, 2010, in the Southern District of Indiana, DAVID RYAN BOSTIC, the defendant herein, did knowingly possess any visual depiction that had been mailed, or had been shipped or transported in interstate or

foreign commerce, or which contained materials that had been mailed or so shipped or transported, by any means including by computer, where the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction was of such conduct, that is: on the separate occasions indicated below, DAVID RYAN BOSTIC possessed a Micron computer, a stand along hard drive, and an external hard drive, which contained visual depictions of minors under the age of 18 years engaging in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), including the following files:

Micron PC Desktop Computer (Item 5)

Toddler abuse HC.mpg

1176692959210.jpg

1176693023726.jpg

1176693023726eqwe.jpg

1176693092845.jpg

1191782757129.jpg

Vicky - vibrator-04.JPG

vicky 10(1)(1).jpg

External Hard Drive (Item 3)

babys 4yo TODDLER preteen rape-child.jpg

sm00152.jpg

Allison.jpg

1273267287771.jpg

227.jpg

09-09-09_03-58pm a.jpg

09-09-09_03-58pm b.jpg

09-09-09_03-59pm.jpg

09-09-16_04-02pm.jpg

14352667lg.jpeg

14352740lg.jpeg

14352781lg.jpeg

katya001.jpg

katya052.jpg

katya053.jpg

Picture 014

Picture 017

Picture 018

Picture 021

##001g.jpg

##001h.jpg

##001j.jpg

1186357803541.jpg

1186358194129.jpg

1186358848195.jpg

a79544_3120_wvcjz.jpg

a79544_3105_otkwe.jpg

1180325529548.jpg

1194649561187.jpg

1246932036093.jpg

1255317177863.jpg

Standalone Hard Drive (Item 33)

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 02.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 03.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 04.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 05.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 06.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 07.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 20.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 21.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 22.jpg

Private Daughter Mellony stolen pedo lolita pthc hussyfan preteen nude (10yo) 23.jpg

Pict01__011.jpg

Pict01__018.jpg

Pict01__024.jpg

Pict02__055.jpg

25387783lg.jpg

25387801lg.jpg

mar31015.jpg

mar31016.jpg

mar31018.jpg

mar32005.jpg

mar32015.jpg

mar32017.jpg

mar32027.jpg

mar32028.jpg

All of which is a violation of Title 18, United States Code, Section 2252(a)(4)(B).

FORFEITURE

12. In keeping with Federal Rule of Criminal Procedure 32.2, the United States hereby gives the defendant notice that it will seek forfeiture of property pursuant to Title 18, United States Code, Section 2253 as part of any sentence imposed.

13. If convicted of one or more of the offenses set forth in Counts One through Thirty-Seven, DAVID RYAN BOSTIC, defendant herein, shall forfeit to the United States all right, title and interest the defendant has in:

- A. any visual depiction described in Title 18, United States Code, Section 2251, 2251A, 2252, 2252A, 2252B or 2260, or any book magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of title 18, United States Code, Chapter 110;
- B. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- C. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense.

Such property includes, but is not necessarily limited to, the following:

- all images of child pornography and/or child erotica the defendant acquired through, and/or used to facilitate, his commission of child sexual exploitation offenses in violation of 18 U.S.C. § 2251 or 2252;
- all tangible and intangible property rights, including but not limited to copyrights, in all images of child pornography and/or child erotica the defendant acquired through, and/or used to facilitate, his commission of child sexual exploitation offenses in violation of 18 U.S.C. § 2251 or 2252;
- all personal identifiers, including but not limited to, e-mail addresses, usernames, and passwords used by the defendant to facilitate his commission of child sexual exploitation offenses in violation of 18 U.S.C. § 2252, including, but not limited to personal identifiers used to access online data storage sites where the defendant saved or posted images of child pornography and/or child erotica that the defendant acquired through, and/or used to facilitate, his commission of child sexual exploitation offenses in violation of 18 U.S.C. § 2251 or 2252; and
- all of the following property found in the defendant's possession on or about November 17, 2010:
 - A. Micro PC Desktop Computer
 - B. Standalone Hard Drive
 - C. External Maxtor Hard Drive
 - D. Video cameras
 - E. Computer storage media
 - F. Computer monitors, keyboards and peripheral devices
 - G. One cellular telephone

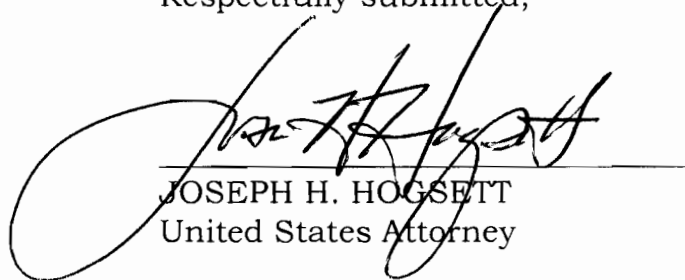
15. Pursuant to Title 21, United States Code, Section 853(p), through 28 U.S.C. § 2461(c), the court shall order the forfeiture of any other property of the defendant, up to the value of any property described in paragraph 27, if by any act or omission of the defendant, the property described in paragraph 27, or any portion thereof:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with, a third party;
- C. has been placed beyond the jurisdiction of the court;
- D. has been substantially diminished in value; or

E has been commingled with other property which cannot be divided without difficulty.

In keeping with the foregoing, it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of all forfeitable property as described above in Paragraph 27.

Respectfully submitted,



JOSEPH H. HOGSETT
United States Attorney


STATE OF INDIANA)
)
COUNTY OF MARION) SS:

Steven D. DeBrotta, being first duly sworn, upon his oath deposes and says that he is an Assistant United States Attorney in and for the Southern District of Indiana, that he makes this affidavit for and on behalf of the United States of America and that the allegations in the foregoing Information are true as he is informed and verily believes.



Steven D. DeBrotta
Assistant United States Attorney

Subscribed and sworn to before me, a notary public, on this 28th day of February, 2011.



Carrie A. Griffin, Notary Public

My Commission Expires: January 21, 2016
My County of Residence: HANCOCK